

DRIVER'S LICENSE REVOCATIONS

I. Definitions

1. License -- G.S. 20-4.01(17)
2. Revocation -- G.S. 20-4.01(36)
Suspension -- G.S. 20-4.01(47)
Disqualification -- G.S. 20-4.01(5a)
3. Conviction -- G.S. 20-4.01(4a)

II. Mandatory Revocation for Convictions

1. G.S. 20-13.2 -- Underage driver zero per se offense, or offense involving impaired driving
2. G.S. 20-16.1 -- Speeding over 15 mph over limit and over 55 mph (includes work zone charges)
3. G.S. 20-17
 - 1) Manslaughter
 - 2) DWI
 - 3) Commercial DWI
 - 4) Felony
 - 5) Hit and run
 - 6) Perjury
 - 7) 2 Reckless Driving
 - 8) Reckless driving and illegal transportation
 - 9) False name, statement to get license
 - 10) Death by vehicle
 - 11) Assault with motor vehicle
 - 12) 2nd transporting open container under 20-138.7
 - 13) 2nd or subsequent conviction under commercial zero tolerance law under GS 20-138.2A
 - 14) 2nd or subsequent conviction under zero tolerance law for school or activity bus or child care vehicle under GS 20-138.2B
 - 15) Conviction of use of explosive, false bomb threats or hoaxes, possession of explosives, etc.
 - 16) 2nd larceny of motor fuel
4. G.S. 20-17.2 -- Court ordered DWI revocation

5. G.S. 20-17.3 -- ABC law violations (eff. 12/1/99, includes purchase of beer by persons under 18)
6. G.S. 20-28 -- DWLR
7. G.S. 20-28.1 -- Moving violation while revoked
8. G.S. 20-141.3(a), (c) -- Prearranged racing; betting on racing
9. G.S. 20-13.2 (c1) – School conduct—not passing; alcohol, drugs or weapons at school (eff. 7/1/2000); assaultive behavior (eff. 7/1/2000)
10. G.S. 20-13.2(c2) -- Under 18, conviction of use of explosive, false bomb threats, hoaxes, possession of explosive, etc.
11. G.S. 20-141.5 (d) -- Speeding to elude arrest
12. G.S. 20-160.1 – Failure to yield resulting in serious bodily injury

III. Discretionary Revocation Based on Convictions

1. G.S. 20-13 -- Provisional licensee moving violations
2. G.S. 20-16(a)
 - (5) Point System
 - (6) Fraudulent use of license
 - (8) Illegal transportation
 - (8a) Impaired instruction
 - (9) 2 over 55 mph (includes work zone charges)
 - (10) 1 over 75 mph (includes work zone charges)
 - (11) 1 over 80 mph (includes work zone charges)
3. G.S. 20-141.3(b) -- Willful racing
4. G.S. 20-157(i) – Violation of “move over” law resulting in serious injury or death to emergency worker or law enforcement officer. Effective July 1, 2006

IV. Limited Driving Privilege (Negates Certain Revocations)

1. G.S. 20-16(e1) -- negates G.S. 20-16(a) (9), (a) (10), (a)(10a) (speeding)
2. G.S. 20-16.1 -- negates G.S. 20-16.1 (speeding)
3. G.S. 20-16.2(e1) -- negates G.S. 20-16.2, 17(2) (willful refusal)
4. G.S. 20-179.3 -- negates G.S. 20-17(2) (impaired driving)
5. G.S. 20-138.7(h) -- negates G.S. 20-17(12) and -17(2) (transporting open container alcohol after consuming)
6. G.S. 20-138.3(d) -- negates G.S. 20-13.2 (underage drivers zero tolerance)
7. G.S. 110-142.1 -- negates G.S. 20-15.1 (failure to pay child support)
8. G.S. 15A-1331(d) -- negates G.S. 20-15.2 (probation revocation)

9. G.S. 20-16.5 (p) -- negates G.S. 20-16.5 (CVR)
10. G.S. 20-141.5 (d) -- negates G.S. 20-141.5 (driving to elude arrest)
11. G.S. 20-166 -- negates G. S. 20-17(a)(4) (hit and run)
12. G.S. 20-16(e2) -- negates G.S. 20-17(a)(16) (larceny of motor fuel)
13. G.S. 20-157(i) – negates G. S. 20-157(i) (“move over” violations)

V. Revocations Not Based on Convictions

1. Failure to appear or pay fine, penalty, or cost -- G.S. 20-24.1
2. Non-resident violator compact -- G.S. 20-4.18 et seq.
3. Willful refusal to submit chemical analysis -- G.S. 20-16.2
4. Willful refusal to submit chemical analysis, under 21 – G.S. 20-13.2
5. 30-day, immediate revocation on impaired driving, commercial DWI and underage zero tolerance -- G.S. 20-16.5
5. Offenses in other jurisdictions
 - a) G.S. 20-16(a)(7) -- "commission" of offenses in other state
 - b) G.S. 20-16(a)(8b) -- military bases
 - c) G.S. 20-23 -- other state convictions
 - d) G.S. 20-23.2 -- federal court convictions
6. Violation of DMV probation -- G.S. 20-16(c);
G.S. 20-16(d);
G.S. 20-19(d);
G.S. 20-19(e)
7. Failure to post security -- G.S. 20-279.5;
G.S. 20-279.13;
G.S. 20-279.16
8. Incompetent person or person involuntarily committed for alcoholism --
G.S. 20-17.1
9. Failure to pay child support -- G.S. 20-15.1 (effective Dec. 1, 1996)
10. Conviction of felony and unsuccessful probation -- G.S. 20-15.1
11. Violation of per se levels imposed on license restored after certain convictions
of offenses involving impaired driving – G.S. 20-19(c3) (eff. 7/1/2000)
12. Violation of conditions that require use of ignition interlock imposed on
license restored after certain impaired driving revocations -- G.S. 20-17.7(g)

VI. Conditions Required to be Compiled with Before Revocation Ends

1. Failure to obtain assessment or complete ADETS or treatment in DWI cases --
G.S. 20-17.6

VII. Commercial Driver Licenses -- Disqualifications -- G.S. 20-17.4 (Note: Effective Sept. 20, 2005, these disqualifications also apply to persons holding commercial licenses, even if they occur in non commercial vehicle)

1. DWI while driving a commercial vehicle -- G.S. 20-138.1
2. Driving commercial vehicle while impaired -- G.S. 20-138.2
3. Hit and run in a commercial vehicle
4. Felony in a commercial vehicle
4. Refusal in a commercial vehicle
5. Two serious violations in a commercial vehicle -- G.S. 20-4.01(41a); 20-17.4
6. Violation of commercial zero tolerance law—GS 20-138.2A
7. Civil revocation under G.S. 20-16.5, or similar revocation in another state
8. Vehicular homicide (death by vehicle or manslaughter)
9. Driving commercial vehicle with a revoked or disqualified license